

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated June 3, 2004 are respectfully requested. In that Office Action, the Examiner rejected all of the claims under the judicially created doctrine of double patenting over U.S. Patent No. 6,704,044. In response, applicants submit an executed Terminal Disclaimer.

The Examiner also rejected the claims as being obvious over U.S. Patent No. 6,111,571 to Summers in combination with U.S. Patent No. 4,972,795 to Mace and U.S. Patent No. 6,023,288 to Coombs.

The Summers reference is the primary prior art relied upon by the Examiner and teaches a interactive theme attraction system. The example given by Summers is a haunted house where a remote person can control the props in a theme amusement park in connection with video feeds from various stationary or mobile cameras. The remote person can then appropriately frighten other persons going through the amusement park. Importantly, Summers does not teach that a parameter of the camera itself can be controlled by remote control as required in the amended claims. The only remote control that is possible through the system of Summers is the remote control of the amusement park props, which of course has little relation to the mobile cameras.

Further, the cameras are "mounted to the walls, ceiling, or floor of each scene or room of the attraction." Summers Patent, Col. 3, lines 51-53. The cameras are connected to servos or other motors so that they can be moved. Summers Patent, Col. 3, lines 53-55.

The Coombs patent teaches an infrared imager incorporated into a helmet or headgear apparatus. The images captured by the infrared imager can then displayed to the wearer of the helmet by means of a heads-up display. Importantly, the Coombs patent does not teach **any** transmission of images to a remote location for either viewing or storage. The infrared images

are only displayed to the wearer of the helmet in real time. Further, unlike the claimed invention, the Coombs patent does not teach **any** reception of control signals from a remote location.

The Mace patent discloses an antenna marker device that can be formed in the shape of a football helmet. In other words, Mace discloses a novelty item for placement on top of a automobile antenna. Mace **does not** disclose a football helmet that can be worn by a person.

The Examiner rejected all of the pending claims arguing that the Summers patent rendered obvious Claims 1-8, 11-13, 16-17, 23-26, 29, and 32. Note that applicants have canceled Claims 4 and 29-32. The Examiner made various arguments as to how the Summers patent taught each limitation of the claims. However, applicant respectfully submits that there are several limitations present in the claims, as amended, that are not fairly shown in any of the cited references.

For example, the claims have been amended to clarify that the remote control signals relate to controlling the image quality and characteristics output from the image sensor. Thus, parameters such as exposure, gain, white balance, color saturation, brightness, or hue are remotely controlled. This type of **camera image control** is not contemplated by the Summers patent. The only remote control of the camera is of the servos or motors that position the camera. Summers Patent, Col. 3, lines 53-55. Despite the Examiner's arguments, there is no indication that any of the image parameters can be controlled. For this reason alone, the claims are allowable.

Further, the claimed invention relates to the use of a **single-chip** image sensor. Neither the Summers patent nor the Coombs patent disclose the use of a single- chip image sensor. Instead, the Examiner simply states that "most electronic cameras are single-chip image sensors". Office Action, page 2. To the contrary, at the time of filing of the present application, single chip image sensors were a small minority of electronic cameras. Most electronic cameras were

charge coupled devices (CCD) cameras that required a minimum of two chips: one for the image capture, and one for signal processing. It is only with the advent of CMOS technology has single chip image sensors have been made possible, and only through the considerable efforts of the assignee of the present application.


It is simply improper for the Examiner to state that single-chip image sensors are shown in the cited references because they are not. The cited references use conventional CCD cameras or infrared cameras. Thus, the limitation in the claims of a "single-chip image sensor" is not fairly shown in any of the references, let alone the incorporation of a single-chip image sensor into a cap.

Finally, with respect to Claim 20, the Examiner's citation of the Mace patent to teach the use of a football facemask as an antenna is inappropriate. Specifically, Mace teaches a miniature novelty item in the shape of a football helmet. Mace does not teach a football helmet as claimed. No person could actually wear the "football helmet" of Mace.

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8000.

Respectfully submitted,
Perkins Coie LLP

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Chun M. Ng
Registration No. 36,878

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000